

# THE LEISURE HOUR.

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PENRHYN CLIFFORD ARRAIGNED IN THE HALL OF JUSTICE.

## THE ENGLISHMAN IN RUSSIA.

A TALE OF THE TIME OF CATHERINE II.

CHAPTER XLIV.—THE HALL OF JUSTICE.

**DISTURBED** as Penrhyn Clifford was with the thoughts which naturally forced themselves on

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his mind, he was sufficiently collected to note the confusion which prevailed in and around the palace. Several dead bodies encumbered the open space before the massive iron gates; and when admitted into the spacious outer court, he per-

ceived it to be filled with Muscovite soldiers under arms, while groups of officers seemed busily occupied in recounting the events of the night.

Not so busily, however, that they did not smile derisively as the guarded prisoner passed them; and it was a relief to Clifford—who, like most young men of ardent temperament and powerful feelings, was particularly susceptible of scorn—when the doors of the palace itself shut him in from their further notice.

The Hall of Justice, into which he was conducted, was a lofty circular apartment, gloomy to excess by the intentional exclusion of day-light. The windows were few; and on the present occasion even these were closed, and candles were lighted, which, insufficient in number to illuminate the hall, shed only a dim light around the divan. Clifford had been long enough an inmate of the palace, and had sufficiently often attended as a spectator in the hall—little imagining then that he should one day have to stand in the place of the accused prisoners—not to know that this ceremonious closing of windows and lighting of candles denoted a trial of considerable importance; and, conscious as he was of innocence, it was not without increasing discomposure that he witnessed other significant indications that probably life or death was hanging on the events of the coming hour—and *that* life or death, his own.

It is easy, no doubt, to talk about the strong shield of innocence, and the charm of conscious integrity, which can inspire courage in the hour of danger. But it is not easy to divest the mind of an actor in such scenes, of the consideration that false accusations and malice have often borne down this shield, and that conscious integrity has not, in all cases, preserved the accused from an ignominious end. And though it is not to be denied that every individual of the human race bears about with him continually "the sentence of death," yet there are few either so hardened by constitutional indifference, or so fore-armed by philosophy, or so prepared by faith, as to perceive unmoved the sudden and unexpected execution accelerated by human agencies around them. Even those who in the heat of battle have rushed upon almost certain and instant death without fear or thought, have trembled exceedingly when, under other circumstances, the monster has held over them threateningly his fatal dart.

It will be no disparagement, therefore, to the courage of Penrhyn Clifford when we say that, notwithstanding his unconsciousness of having placed himself in circumstances of suspicion, his pulse beat quicker and his colour for a moment forsook his cheek, when around him he witnessed preparations which bore towards him at least an ominous aspect. He rallied, however: "I was in greater danger than this," he thought, "when I was shipwrecked, and then I had no fear; and He who held my life in safety then, can and will preserve me from death till it pleases him to call me hence; and then—" but we will not follow his further reflections, which, whatever their particular course, stilled the tumult of his mind, and enabled him to give attention to surrounding objects.

We have said that the Hall of Justice was a circular apartment. Ranged along a segment

of the wall was a platform, raised two or three steps above the floor, and furnished with cushions for the judge or judges. The middle one of these, higher than the rest, was appropriated to the sacred person of the Khan, when he chose to preside in the court. Ordinarily, the business of administering justice was conducted by officials, who were, however, aware that, though unseen by them, the Khan might be observing their actions and listening to their decisions, from a dark, inclosed, latticed, and curtained gallery built at the side of the hall.

But, on the present occasion, the principal seat on the divan\* was occupied by Schagin Gheray himself, while on his right hand sat a Russian officer of middle age, with a strongly-marked countenance, whom the English prisoner speedily recognised as the commander of Catherine's Crimean army, General Suwarrow. On the other side of the Khan were two or three officials of his court; and seated beside the General was the Russian Ambassador, who Clifford had reason to believe was personally his enemy. Numerous guards were stationed around, and in the body of the hall were several spectators, among whom were a few myrzas, who, with downcast looks, and occasional glances of strong disgust, witnessed the usurpation of authority which was indicated by the presence and bearing of the Russians, and the implied degradation of their own sovereign and country.

In fact, it soon became manifest that though the Khan was nominally the president of the solemn assembly, he was but a puppet in the hands of the Russian General and Ambassador, who virtually directed the proceedings of the court.

Schagin Gheray was not unconscious of this degradation, while he submitted with painful imbecility to the usurpation. His naturally fine countenance was convulsed with apparent inward grief, and his piercing eyes wandered hither and thither in that kind of uncertain, unmeaning gaze, which tells, perhaps more forcibly and truly than any other outward token, of wandering thoughts, if not also of a disturbed intellect. Clifford was not unacquainted with the person of the sovereign in whose palace he had lived, and to whose presence, indeed, he had often been admitted as a favoured guest; but he scarcely recognised him in the personage before whom he was soon to stand as a criminal. The Khan, as seen in the faint light shed by the candles in that darkened hall, was deadly pale; not a relieving shade was there between the waxen whiteness of his brow and cheeks, and his dark eyes, eyebrows, and beard. Probably the contrast was rendered more striking and effective by the sombre colour of his garments, and especially by the peculiar form of his head-dress, to wit, a broad bandage of black silk, carried up on each side of his face from under his chin, and fastened on the crown of his head above his turban.

His occupation, as he sat, was singular. Paying but little apparent attention to the proceed-

\* The word "divan" more properly, perhaps, means a council of state—an assembly. It is also used to signify a hall in the private houses of the Orientals. Besides these meanings, however, it has that of a seat, or sofa, or couch, or covered bench for sitting on; and in this sense it is used above.

ings of the court, which, it may be, he felt he had no power to control, and perhaps to hide the strong perturbation of his mind, he was incessantly employed in tossing from one hand to the other a small cannon ball—he, wearing thick gloves to preserve his skin from abrasion.

Penrhyn had time to observe these and other particulars, for he was not the only prisoner whose fate hung on the decision of the judges; and several trials—if such they could be called—were commenced and terminated after his entrance into the hall.

The prisoners whom he saw dragged into the hall were mostly wretched looking Tartars, who had been among the night assailants, and had been captured during the conflict. Weary and dejected, their martial fire all expended, and themselves spotted and spattered with blood—probably their own, for many among them were grievously wounded—they crouched before the divan, and heard listlessly, if they heard at all, the short evidence which inculpated them. As listlessly and unresistingly did they suffer themselves to be led, one after another, through the fatal door, *on the left hand* of the judges, at the side of the hall, to instant execution: and it was with emotions which cannot easily be described, that at short intervals Clifford heard volley after volley of musketry, which proclaimed that one and another and another of the condemned wretches had ceased to exist.

One exception there was, however, to the general speechless resignation of the condemned prisoners. This exception was in the person of a captive leader of the enemy, whose dauntless bearing, together with the charms of a noble countenance and figure, excited at once the admiration and compassion of the young Englishman. The captive was young, and handsomely dressed, though his garments were frayed and disordered by recent violence; and the commiseration of our hero was still further raised when he perceived that the right arm of the young sheikh hung helplessly at his side, the bone having, as it seemed, been broken by a musket ball; while from a sabre-cut on his forehead, the yet warm blood was oozing through the folds of a coarse cloth which had been substituted for his ordinary head-gear.

"Schagin Gheray," said the young Tartar, raising himself to his full height and looking full into the face of the unhappy khan, when the proofs had been tendered of his share in the night's attack—proofs, indeed, which were needless, for if he had not been taken red-handed towards the close of the skirmish, his words would have spoken his own condemnation—"Schagin Gheray, my doom is fixed; and if a prayer would save my worthless life, it should not be uttered. Yet listen, O khan, to the words of one who is going to his fathers; and know that thou permittest to be condemned to the death of a dog, the son of him who saved thy own life by the loss of his own."

The khan suspended his occupation; and a gleam of new wretchedness and acute pain shot across his helplessly desponding countenance, as he uttered an exclamation, coupled with a name which escaped Penrhyn's ears;—"and thou his son! the son of my friend!" he added.

"He was my father," said the young Tartar.

"He must be saved," said the khan, turning an imploring look to the Russian General, who returned for it a gesture of impatience and contempt.

"He must *not* be saved, khan; hear him further, and he will tell you that he glories in his rebellion against your authority and that of my sovereign mistress," said Suwarrow impetuously, using the dialect of the Nogai Tartars, which he had imperfectly acquired, and which was sufficiently intelligible to his hearers.

"Khan," resumed the prisoner, casting a glance of stern defiance at the General, "the false tongue of the base Cossack hath for once spoken truly. Witness, Allah, that to save thee, friend of my father, my life-blood, ten times poured out, would have been accounted by me as small a sacrifice as water from the running stream; but to sweep thee from the face of the earth, thou foe to thy countrymen and betrayer of thy country, and base sycophant to baser tyrants, would have been the glory of my life. I have failed, and I desire not to live." Saying this, he turned proudly away, when the voice of the khan was again heard.

"Hold! hold! he must not perish. He raves, his wounds are inflamed, and despair hath bewildered his brain. He, at least, must be pardoned."

"Ay, on terms," interposed the Russian Ambassador, coldly; "let the prisoner swear allegiance and true faith to thee, O khan, and to Russia—*not otherwise.*"

"Son of my early friend! son of my preserver! thou hearest," exclaimed the khan passionately. "Bethink thee of thy peril, and cast not thy life away in mistaken patriotism."

"Let him swear allegiance," said Suwarrow; "we have no time to lose."

All eyes were fixed on the wounded captain. For one moment he hesitated—the love of life is strong in the most miserable—but it was only for a moment. He lifted his left hand: "I swear perpetual enmity to the oppressors of my country, and to thee, O khan. Repent of thy treason, and in every true Tartar shalt thou find a friend. Thou wilt not need me."

"He dies, then, though he had a hundred lives," shouted the impetuous General; and as the prisoner was led away to the place of slaughter, Schagin Gheray sank back on his seat in gloomy dejection.\*

\* A few particulars respecting the weak-minded out in many respects amiable khan, Schagin Gheray, may not be uninteresting to the reader, and will be more conveniently appended in a note, than introduced into the body of the above narrative. It should be premised that they were originally detailed by a gentleman who "lived in great intimacy with Schagin Gheray all the time that he dwelt at Woronetz," after his abdication, or, as it was called, retirement.

"The khan," he said, "was a man of good figure, with a most piercing eye, and possessed an excellent understanding, not a little cultivated, considering his country. His countenance was remarkably pale, with strong marks of inward grief preying on his mind: a suspicion confirmed by his dress, which was always black; and he constantly wore a black silk handkerchief on his head, which was carried up each side of his face from under his chin, and tied above his turban. His laundress likewise discovered, by the little circles that it left on his shirts, that he always wore a coat of mail under his clothes, probably to ward off a sudden blow from any fanatic Mahometan, as he had near two hundred about his person even in his retirement, who constituted his little court. However, in spite of this precaution against a hidden enemy, he was a man of great courage in the field, and upon all occasions of danger: a singular proof of which he once gave, when obliged to take shelter among the Russian troops from an

## CHAPTER XLV.

## GUILTY, OR NOT GUILTY? LIFE OR DEATH.

THE proceedings had hitherto been untinged by any indication of a leaning towards mercy on the part of the Russian self-constituted judges; and heart-sick with the scenes which had passed before him like the phantasies of a dream, Penrhyn Clifford was at length commanded to stand before the judgment-seat.

The aspects of his judges were not encouraging. We have already briefly described the khan, who neither raised his eyes towards the fresh prisoner, nor discontinued his manual exercise, when Clifford, advancing a few steps, confronted him. The Ambassador smiled sarcastically, and turning to Suwarrow, whispered that in his ear which caused the General to open his half-closed eyes, and to invest his countenance—at no time very engaging—with an ominous frown, which rose to a look of savage impatience when Clifford, in reply to an abrupt command to waste as little time as possible in his defence, requested to know of what he was accused.

At a motion with the hand of the Ambassador, the soldier who had been wounded on the foregoing afternoon by the Tartar myrza, stepped forward from the darkened side of the hall with three of his comrades, and, being hurriedly sworn, declared that the prisoner had abetted the Tartar in his attack, which they further stated was as unprovoked as it was sudden, and that the young Englishman had also used threatening words, which, if they had been used, would have indicated a guilty knowledge of the intended treason.

Further, it was urged against him that he had immediately hastened to the booth or shop of a Jewish banker, who was suspected of being inimical to the Russian government, and with whom, on the morning of the same day, the same myrza who had assaulted the soldier, and who was known to be one of the leaders of the insurrection, had been for some time closeted—planning, as might be inferred, the night assault.

insurrection of his subjects during his short reign, instigated by the Turkish party.

"The insurgents having advanced against his defenders, to the amount of 30,000 men, the khan stole away in the night from the small Russian army (if possible, to prevent the effusion of blood the next day), and rode directly into the midst of his revolted subjects, alone and unarmed, demanding the cause of their discontent, and of what they had to accuse him. This bold measure so completely surprised and discomposed the hostile army, that the soldiers declared they had no personal enmity to their khan, but had been led there by certain myrzas, or chiefs, without well knowing why. On this, Schagin Gheray ordered the myrzas to be brought before him to declare their grievances; but they, being as much confounded as their men, could allege nothing in the slightest degree satisfactory; whereupon he commanded the soldiers to hang them up as traitors, which they instantly did. He then quietly rode back alone to the Russian quarters, which had been in much alarm on finding him gone.

"Nothing," continues this witness, "could be more simple than his way of life, as he never had more than one dish at his table, which was constantly boiled rice and mutton, in the Tartar style, with water for his drink; after which, he took one small dish of coffee, and seldom even smoked but when alone.

"He commonly wore gloves, as he had a custom of throwing a six-pound cannon ball from one hand to the other while he sat conversing with those about him."

Other particulars might be given from the same account; but this note is already sufficiently extended. We should add, however, that what we have already transcribed is taken from a work published more than fifty years ago, being "A Tour performed in the Years 1795-6, through the Taurida, or Crimea, by M. Guthrie."

With this banker, Melchior, it was proved that Penrhyn Clifford had had a lengthened interview; and that eventually, instead of returning to the palace, he had accompanied him to the stronghold of the Karaim, even Tchifout Kalchsi, doubtless that he might be out of harm's reach during the assault on the palace.

Astounded, as well he might be, first at the falsehoods of the first witnesses, and then at the erroneous construction put upon the most innocent and unpremeditated actions, as well as with the conviction that a secret surveillance had been held over his movements in the city, the young Englishman, nevertheless, temperately, though boldly and unhesitatingly, denied the false accusation, repeated the words he had used, and explained the occasion of his visit to Melchior Ben Abraham, as well as the train of circumstances which had made him the guest of the Jewish banker at Tchifout Kalchsi. Moreover, he rebutted with generous warmth the charge of treacherous intentions on the part of Melchior, for whose loyalty and honour he offered to pledge his own safety.

A smile of evil augury, as Clifford thought, passed over the countenance of the Ambassador when Suwarrow drily recommended the accused to wait until he had wherewithal to redeem so rash a pledge. "Your safety, young man," he added, "is scarcely worth the venture. Your story is doubtless plausible; but we have only your own word for its truth."

To this the accused not unreasonably urged that the circumstances of his sudden arrest and his ignorance of the charges to be brought against him, rendered it impossible that he should be prepared with corroborative evidence, which he trusted to have no difficulty in obtaining, if proper facilities were afforded.

"Ay, truly, and you would bring in upon us a swarm of Jews from yonder pestilent hive, to testify to your flaming loyalty," said the Ambassador with a sneer. "Methinks the wary Israelites will judge better of it, and not venture from behind the shelter of their stone walls until they have better vouchers than thine for their own innocence. They may learn, ere long, that their boasted citadel is no sure refuge for traitors."

Even as he spoke, a slight stir in the body of the hall caused Clifford to turn his face for a moment, and to his surprise and relief Melchior Ben Abraham stepped forward from the crowd. At the same instant Suwarrow exclaimed, in a tone of sharp military authority, "Secure that man!"

The order neither discomposed the countenance nor hastened or retarded the steps of the Jewish banker, who, advancing towards the divan, bowed low and reverently.

"What wouldst thou have, fellow? and at what low price dost thou value thine head, that, like thine ancestor, of whom, as I believe, thy records tell, thou dost thrust it and thyself into the lion's den?"

"Excellency," said Melchior, "truly might I reply, if my tongue were worthy to utter so high a boast, that He in whom I trust will surely deliver me, since he knoweth my innocence of aught that can offend; but, high and mighty commander, my trust is in thee also, who art in His hands but



as the clay in the hands of the potter, and whose heart the Highest can turn, even as the rivers of waters are turned."

"A truce with your insolence!" exclaimed the General in a sudden burst of anger, for the words of the Hebrew sounded strangely in his ears; "and tell me what hinders that, without further parley, I should order you, as a suspected traitor, to be hung before your own door, as a terror and a warning to every bearded Jew in Batchesarai?"

"Even thine own honour and justice, O General," replied the Jew, pulling at the same time from his bosom a scroll, which he laid before Suwarrow.

"Thou art right, Jew," said the General, when he had glanced at the paper, and his features relaxed into a grim but not an unpleasant smile. "I had well nigh forgotten thee; but the protection the General Suwarrow hath herein given, the Judge Suwarrow will not disclaim or withhold—the less that I know thee to be trusty and loyal, let who will gainsay thee. Nevertheless, thou art rash to thrust thyself into our presence at this time. And now, speak thy business, and be gone."

"Excellency, it is to bear testimony—if thou wilt permit me to be sworn according to our law—to the innocence of the young Englishman of any ill intent in absenting himself from Batchesarai, or any concern in the unhappy events of the past night."

"I will not permit this, General," exclaimed the Ambassador, who had kept silence during the foregone-by-play. "Take the Jew under thy protection if thou wilt; I care not; but the prisoner shall not escape by his means."

The fury, which seemed but a few minutes since ready to burst upon the Jewish banker, was now transferred to the Ambassador; but the General restrained himself. "I know not who should say 'shall not' to my 'will,'" he said in a constrained tone. "But enough of this; time presses; and this foolish business hath lasted already too long. And now, friend," he continued, turning to Penrhyn Clifford, "if thou hast anything further to urge in thy defence, speak, and he brief."

To Clifford, whose self-possession did not desert him in the apparent emergency of his danger, and whose indignation was roused by the evident intention of the Ambassador to condemn him, only one means of escape seemed presented, and of this he availed himself—boldly replying, that, being under the especial direction of the Empress herself, and having since his residence in Batchesarai been employed as her accredited and confidential servant, he disputed the competency of the present court to take cognizance of his presumed offences; and demanded that his accusers should impeach him before the throne, where he would answer their accusations.

"And who is to vouch that you have any such authority as that of which you boast?" demanded Suwarrow.

The young Englishman was about to reply, when his purpose was interrupted by the khan. "That will I," he said, for the moment giving his attention to the accused; "I affirm that the credentials of the young stranger are full and explicit, and in my keeping; and shame would befall me if

a hair of his head be injured. Enough, too much, blood hath already been shed. The young man is my guest."

"I, at least, know of no such credentials," said the pertinacious Ambassador; "and I must yet deny the privilege claimed by the accused, whom I assume to be but a common messenger, whose errand once ended, leaves him in his original insignificance: and I hold that the charge of treason against him has been sufficiently proved in spite of the proffered testimony of the Jew, which disproves nothing."

"Your Excellencies will at least recognise and acknowledge this hand and seal," said Clifford, unclasping a pocket-book, and laying before the Russian judges the recent despatch of Prince Potemkin. The Ambassador smiled as he glanced at it: the General frowned as he read it, and put it from him with contempt; observing, however, that its contents established the prisoner's claim to be tried before another tribunal.

"Unless that privilege should have been since forfeited," said the Ambassador; "and the prisoner will next state the nature of his reply to this despatch."

Penrhyn perceived the trap, and endeavoured to avoid it. It was a confidential communication, he said, the nature of which he was not at liberty to divulge.

"Nevertheless," returned the Ambassador, with a smile of triumph, "you will not disown your own hand-writing, I presume;" and opening a portfolio by his side, he displayed to the astonished gaze of the young Englishman, the letter he had safely, as he supposed, forwarded on the morning of the previous day, to Potemkin: "and as you herein tender your resignation as special envoy to this court, you cannot lay claim to the supposed immunities of your late office."

"I deny that," hastily exclaimed Suwarrow, who was attentively reading Clifford's short diplomatic note; "and I aver that a resignation tendered is not a resignation accepted; and however this note came into your Excellency's hands, addressed as it is to the commander-in-chief—"

"Content you, General," said the Ambassador, haughtily: "I can answer to the commander-in-chief for my own deeds, even to the breaking of a seal such as this."

"Your Excellency will answer to whom and for what you please," continued the General, contemptuously; for, however numerous and glaring were his faults, Suwarrow had at least a blunt honesty of spirit which caused him to look upon the character of a spy with undisguised abhorrence: "I wish only to know of the accused, his reasons for resigning an office of such high dignity and honour and profit"—he spoke these epithets very bitterly, and, except the last, very sneeringly also.

"May it please your Excellency," answered Clifford, whose hopes began to predominate, "I felt myself incompetent to obey to the letter the commands of the illustrious prince; and—"

"Speak on, Englishman," said the General impatiently, seeing that Clifford hesitated, "and speak out: it may advantage you in your present position."

"And I was unwilling to remain in an office

in which such services were required of me, your Excellency," said the prisoner boldly.

"He confesses his treachery," said the Ambassador, exultingly.

"Say his honesty," rejoined Suwarrow: "but I forget; I am a plain soldier, you a polished diplomatist; every one to his vocation. Nevertheless, I hold the prisoner to be acquitted."

"And I maintain him to be convicted, General," said the Ambassador: "you cannot escape from that conclusion."

"I break through it, then, and will answer for it to the Empress. I avouch, at least, that his offence is beyond our jurisdiction; and as his business seems at present concluded in the court, we will take charge of him in the camp—always with the permission of our august ally, the noble khan."

Schagin Gheray bowed his head, and, disregarding the high words and threatening gestures of the baffled Ambassador, who seemed either unsatiated with the blood already shed, or to be influenced by some extraordinary sentiments of animosity against the young Englishman, Suwarrow committed the latter to the charge of an officer in attendance, and the court of justice was broken up.

Dizzy with excitement, but ejaculating secret thanks to God, who had thus delivered him from a violent death, Pearhyn Clifford was conducted from the hall by a door at the *right hand* of the judges, and found himself once more in the courtyard of the palace. The cheerful sunshine and fresh atmosphere, with a sense of his deliverance, wrought so powerfully on his overstrung nerves, that he sank fainting to the ground. On recovering, he found himself surrounded by Russian officers, and supported in the arms of his friendly banker, who whispered to him renewed assurances of his safety; and half an hour later, he was riding in the train of the General towards the encampment of the Russian army, reaching which, a tent was placed at his disposal, and a private from the ranks appointed to attend to his requirements and commands.

## THE NATURAL HISTORY OF THE LEAF.

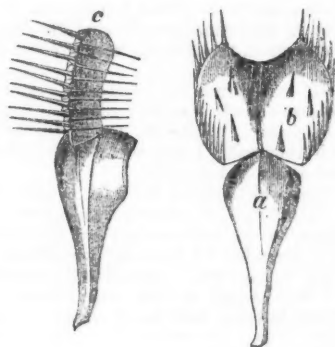
### PART II.

CHARACTERISTICS equally interesting, though of a different nature to those described in the preceding chapter, may be observed in the habits of leaves, and our narrative would be most incomplete were we not to devote a portion of our space to the description of several of the most remarkable of these.

Previously to natural phenomena becoming so accurately defined as they are in the present day, it was usual to draw the line of demarcation between the animal and vegetable kingdoms, by assigning to the former all kinds of life capable of exercising spontaneous motion. Had this theory been correct, it would have been necessary to rank certain undoubted vegetables—as, for instance, the pea—with the zoological species; for the following curious facts show that they possess, to a considerable extent, the power just referred to. Towards the close of the day, or during the night, some leaves may be observed gradually to rise or

fall from their horizontal position and assume a perpendicular one; then, after remaining so a certain time, again resume their usual posture. These evolutions are confined chiefly to plants having compound leaves, that is, leaves arranged on either side of a common footstalk, the opposite leaflets previously in the same place being by this manœuvre brought into close approximation with each other. The phenomenon may be observed very distinctly in the acacias and plants of the pea tribe, and has been called the "sleep of plants." The shrinking of the sensitive plant, and the sudden folding of the leaf of the Venus's fly-trap, on contact with a foreign body, are familiar examples of spontaneous motion; and the following description by Professor Henslow of the phenomena exhibited by the latter of the plants just named will be read with interest. He says:—

"The leaves of the *Dionaea muscipula*, or Venus's fly-trap, consist of a flattened petiole (*a*), at the extremity of which are two fleshy lobes (*b*) which lie when expanded in the same plane with the petiole. These lobes are capable of being elevated, and brought together into a position perpendicular to the surface of the petiole (*c*).



They are furnished with cilia, or bristles, round their margins, which stand nearly at right angles with their upper surface; and there are besides three little short bristles placed upon the upper surface of each lobe in a triangular order. When a fly, or other insect, crawling over the surface of the lobes, touches either of these bristles, the lobes suddenly close, and the insect is imprisoned, like a rat in a common gin. Some little time after the death of the insect, the lobes unfold and wait for another victim."

Besides these examples, many other plants possessing spontaneous motion to a greater or less extent might be enumerated. It will be sufficient, however, to mention one other instance in which this power is very strikingly developed. This is the moving plant, *Desmodium gyrans*, a native of India; and most deservedly has it received its appellation, the extraordinary activity which it manifests showing it to be, *par excellence*, the "moving" plant. Its leaflets exhibit a constant restlessness, being successively elevated and depressed by a series of jerk-like motions, which are continued throughout its existence, neither day

nor night affording any intermission to its untiring labours.

The tremulous motion of the leaves of the aspen, though scarcely spontaneous, is nevertheless deserving of a passing observation. In this tree, the footstalk, or, as it is called in botanical phraseology, the petiole, is flattened laterally, by which means it affords so slight a support to the leaf that the most imperceptible zephyr is sufficient to set the whole foliage in motion. Its incessant agitation has from time immemorial been employed in poetry to illustrate fickleness.

Another feature exhibited by some leaves is the *sting*. This appendage, which is in fact a modified hair, consists of a minute tube, one end of which communicates with a small sac, or globule, containing an exceedingly acrid juice. The free extremity is finely pointed, though in some instances there is a prominence just below it. The more usual form, however, and which may be easily observed by placing the sting of a nettle under a microscope of ordinary power, is that represented in the annexed cut. When pressure is applied,



STING OF THE NETTLE.

the acrid matter rushes with considerable force up the tube, and if any penetrable body, as the hand, is near when it is pierced, the whole operation much resembles the insertion of venom by the fangs of a serpent. The common nettle is an unpleasantly familiar example of this phenomenon.

Somewhat analogous to stings are the spines or prickles with which certain leaves are armed. They are formed by the hardened prolongation of the veins of the leaf, and in their distribution are strikingly illustrative of the adaptation to circumstances which pervades the works of nature—being generally confined to those leaves which, from their proximity to the ground, would be most liable to injury from cattle or other causes, and gradually disappearing as the height of the tree increases. The contemplation of this admirable provision in the holly drew from the poet Southey the following graphic lines:—

"Oh reader! hast thou ever stood to see  
The Holly tree?  
The eye that contemplates it well perceives  
Its glossy leaves,  
Ordered by an Intelligence so wise  
As might confound the atheist's sophistries.  
Below, a circling fence, its leaves are seen  
Wrinkled and keen;  
No grazing cattle through their prickly round  
Can reach to wound;  
But as they grow where nothing is to fear,  
Smooth and unarmed the pointless leaves appear."

But more remarkable than any feature we have yet considered is that which characterises the *Nepenthaceæ*, or pitcher-bearing plants. In this family the petiole is so modified as to assume a tubular shape, thus forming an elegant vessel or pitcher, complete even to the lid, which is supplied by the adjustment of the leaf over its mouth. A good idea of this singular arrangement may be formed from the subjoined engraving (after Bal-



four); but the purposes it subserves are not so easy to define. As, however, it generally contains a fluid secreted by glands within the vessel, it is not improbable that a part at least of its duties is to afford a refreshing beverage to the various members of animal life inhabiting the tropical regions where it flourishes. Indeed, from its contents being eagerly sought after and swallowed by the monkey tribe, it is sometimes called the monkey plant.

The last phenomenon which this interesting subject presents to us is that which marks the close of its brief existence—the fall of the leaf. And now a new feature is developed amid these scenes of departing beauty, bidding us not to sorrow for the loss of our summer associations of leaf and flower; for the autumnal tint lights up the vegetable world with its golden, hope-inspiring hues, like the sun at eventide, and, like it, promising a more glorious resurrection when the night of winter shall have refreshed and renewed its exhausted energies.

The immediate cause of the decay of the leaf is a cessation of the circulation, originating in an obstruction, which forms at this period in the petiole, and prevents all accession of nutriment to the organ. But it must be remarked that this event does not take place until the leaf has fulfilled all the requirements of the vegetable economy. It is only at the close of autumn, when the fruits and seeds are all matured, and vegetation is preparing for the state of rest in which it passes the winter, that the leaf, having finished its work and being no longer necessary, dies,

"and, turning yellow,  
Falls and floats adown the air."

What a striking illustration of man and his career! Surely "we do all fade as a leaf." Evanescence is stamped on all our pursuits.

The autumnal fall of the leaf, however, is not so universal as we, who are periodically accustomed to witness it, might imagine; for, besides the evergreens of temperate climates, in which the change takes place in the spring, when the old

leaves fall off gradually as the fresh ones make their appearance, most tropical plants have no stated time for changing their foliage, but keep up a perpetual shedding and renewal of their leaves throughout the year. Here, too, the pious mind will discover fresh evidence of the beauty of that simile, which compares the true Christian to a tree whose leaf does not wither.

## ECHOES OF WESTMINSTER HALL.

NO. V.—BENCH AND BAR.

It is remarked that through Chancery-lane, "the connecting link of all the Inns of Court, there must have passed all the great and eminent lawyers, from Coke and Hale to Erskine and Romilly; Sir Thomas More with his weighty aspect, Bacon with his eye of intuition, the coarse Thurlow, and the elegant Mansfield." The *silent* shadows of the men do very solemnly come before us as we enter that busy thoroughfare. With thoughtful countenance—with looks deeply fixed in meditation—principles, cases, opinions, revolving in their minds—the great ones of the bench and bar cross our path in mute majesty, as, in our walks from Fleet-street to Holborn, we turn from the present to the past—from the crowds of the unknown living to the assemblage of the illustrious dead. We see them there as students—students in the conventional sense, as young men reading law before entering on practice—or as students in the general sense, as men matured and aged, with their hands full of business, but with their intellects still, and especially just now, tasked to the very utmost in the severest exercises of acquisition or application, preparing some momentous plea or great decision. They are seen there on the way to speech and action. The inward treasure is being just unlocked. The fountain is rising from its hidden depths. The fire is kindling up—the flame will come.

The remark about Chancery-lane is true of Westminster Hall, with this difference—that in the latter case we find these same great men in the midst of the arena, where they display before the world the results of their learning and experience. The thinkers are actors here. Those who have studied in the Inns of Court speak in the courts of Westminster. They wrestle in hard conflict. Earnest are their debates; pleas are urged; appeals are uttered; decisions are claimed and expressed; thought is embodied in eloquence; the jurist becomes orator. There are words of wisdom; treasures are poured forth; streams gush from the spring; the fire blazes as it burns. The past at Westminster is not a region of calmness and silence, like that in the City. There are not merely *forms* peopling it; it rings with *voices*. Westminster has its echoes, as well as its shadows. Perhaps no spot on the face of the earth has so resounded with eloquence; certainly not any, if we connect St. Stephen's Chapel with the law courts. When the much-talked-of New Zealander, after sitting on the ruins of London Bridge, soliloquising on St. Paul's, shall come down to Westminster to do his duty there, he will have illustrations of the beauty, music, and power

of human words associated with the spot, which will surpass even those which now occur to the classical traveller, as, at Athens, he makes his way through fields of bearded barley to the *demia* of Demosthenes.

"The bench and the bar," in even something like their present meaning, are terms inapplicable to the early days of judicial proceeding in this country, when the king sat in person in his hall to dispense justice; but we may employ them in reference to the early times, when the distinct judicatures were developed out of their primitive normal condition. The words "bench and bar," as now commonly used to denote judges and barristers, seem to be derived from the Inns of Court, which originated when the common pleas were established at Westminster. Those Inns constituted, in fact, a university for the study of law—such a university being rendered needful by the prejudices at Oxford and Cambridge against the studies necessary for preparing men to practise in the new court. There were benchers in those inns, the superiors of the house, who occupied the upper end of the hall on public occasions, and sat on a dais.

This part of the building was separated from the rest by a bar; below that sat the students who had attained a certain proficiency and position, and were called out of the body of the hall to sit near the bar, for the purpose of taking part in the mootings or disciplinary pleadings—exercises in which formed a part of legal education, with a view to preparing men for their appearance in the courts at Westminster. Those so distinguished were termed *utter* or outer barristers; while the rest of the students, who sat in the centre of the hall, were styled *inner* barristers. At first this arrangement did not regulate the method of proceeding at Westminster. The *utter* barrister, as such, had no right to practise there. They do not appear to have attained that right till the time of Elizabeth. In old law reports, the term "*barrister*" is not used. Pleaders are called *serjeants* and apprentices at law.

The terms "*bench and bar*," then, strictly speaking, belong to the Inns of Court, rather than to the Courts of Westminster, till the time of Elizabeth; but as the words, in the sense we use them, are derived from usages in those Inns almost as ancient as the origin of those Courts, and as men connected with those Inns, though not simply by virtue of that connection, practised in those Courts, we shall take the liberty of employing the words in relation to early times at Westminster. Even in the *Aula Regis* there were *serjeants* at law who were assessors with the chief justice, and advocates for the suitors. When distinct courts were instituted, the judges were chosen from among these *serjeants*. From the Conquest to the time of Edward I, *serjeants* were the only advocates; from that time to the fifteenth century, law apprentices, as they were called, were allowed to practise in certain courts; then, these law apprentices were merged in the *utter* barristers.

The medley dress worn by the *serjeant* in Dugdale's time was of three colours, murrey or dark red, black furled with white, and scarlet. Dress, indeed, seems to have been a grand study with the





THE JUDGES OPENING THE LAW COURTS.

old lawyers, if we may judge from the sumptuary regulations enacted respecting them:—"To check the grievance of long beards, an order was issued by the Inner Temple that no fellow of that house should wear his beard above three weeks' growth, on pain of forfeiting 20s." The Middle Temple enacted that none of that society should wear great breeches in their hose, made after the Dutch, Spanish, or Almain fashion, or lawn upon their caps, or cut doublets, under a penalty of 3s. 4d., and expulsion for the second offence. "In 3 & 4 Philip and Mary, it was ordained by all the four Inns of Court that none, except knights and benchers, should wear in their doublets or hose any light colours, save scarlet and crimson, nor wear any upper velvet cap, or any scarf or wings in their gowns, white jerkins, buskins, or velvet shoes,

doublets, cuffs in their shirts, feathers or ribbons in their caps; and that none should wear their study gowns in the city, any further than Fleet-bridge or Holborn-bridge; nor, while in commons, wear Spanish cloaks, sword and buckler, or rapier, or gowns and hats, or gowns girded with a dagger on the back."

The distinguishing head-gear was the coif or black cloth cap. Barristers' wigs were inventions imported from France after the Restoration; and it appears that at first the bench frowned on these now cherished ornaments of the bar. When a celebrated lawyer once argued a great privilege case, having to speak sixteen hours, he obtained leave to speak without a wig, but under the condition that "this was not to be drawn into a precedent."

Coifed and robed, in the old time the serjeant might be seen, deep in official business, not only at the Inns of Court and in Westminster Hall, but in St. Paul's Cathedral, where, by a chosen pillar, he listened to his clients, and took notes of their causes on his knee. There were his "chambers," and without the interposition of an attorney there he held consultations; and some relic of the old connection between serjeants and St. Paul's remained to the time of Charles II, when, on the elevation of a lawyer to the degree of the coif, he marched in procession to the cathedral and selected his pillar.

There are echoes of strange sounds down at Westminster, as we dwell on scenes in the Hall, and on the treatment and doings of men on the bench. The first chief justice who acted simply as judge was Robert de Brus, in 1268. In the next year we meet with the following incident. The Earl of Surrey had a quarrel with Sir Alan la Zouche about a certain manor. They came before the judges on the Tuesday after St. John the Baptist's day. People then seem to have had less control over themselves than they have now, and so the earl and Sir Alan not only came to high words with each other, but actually they began to fight in the presence of the Court. The domestics of the earl joined in the fray, and presently the hall became a scene of confusion, wonderfully contrasting with the decorum maintained in our modern courts. The servants attacked Sir Alan, chased him when he fled from before the bench, followed him into the royal chamber, and there wounded him till he was half dead. The poor man afterwards expired from fever, brought on by the hot weather and the injuries he received. His son also was much hurt. The earl and his retainers made their escape, but were pursued and overtaken; and on the Sunday after the feast of St. Peter and St. Paul we find the culprit brought to court to receive justice. He was fined 7000 marks, and was required to walk from the New Temple to Westminster, there to swear that the deed had not been done from premeditated malice.

In 1289 judges themselves were found culprits. The ermine was stained with deep corruption. Nearly all on the bench were accused of illegal practices, for which a motive, though no excuse, may be found in the smallness of their salaries—the lord chief justice receiving only 60 marks a year. De Weyland then possessed that dignity; and on being apprehended for his malpractices, he managed to escape in the disguise of a monk, preferring to abjure the realm rather than to stand a trial. After forfeiting all his property to the crown, he marched barefooted and bareheaded, with a crucifix in his hand, down to Dover—a very curious spectacle to the people of Kent, all along the road. The king, to put a stop to the iniquity of taking bribes, made the judges swear that they would for the future take neither money nor any kind of present, unless it was a breakfast, which they might accept, provided there were no excess.

In the reign of Richard II, another disgraceful circumstance occurred in connection with the judicial bench. The judges, with the exception of Sir William Skepwith and Chief Justice Tresilian, who was not to be found, were arrested while sitting on the very throne of judgment, for having

prostituted their high office in the service of an unprincipled monarch and his worthless court. Sir Nicholas Brambre, one of the chief persons accused, was formally impeached and tried in Westminster Hall; and what is most curious and remarkable, Tresilian, who had successfully concealed himself, now came in disguise to witness the trial of his colleague. He had got upon the top of an apothecary's house, close by Westminster palace. Descending the gutter, to see who passed in, he was detected by some of the peers. This is one account. Another states that he lodged at an alehouse, "right over against the palace gate," and there looked out of a window to watch the notables on their way to the trial. At any rate he was seen and recognised. A squire of the Duke of Gloucester, Froissart tells us, observing the judge under his disguise, cunningly contrived to catch him. After obtaining an interview, through the landlady, to make sure of his identity without giving rise to suspicion, he informed his master, the duke. "Then the squire went forth and took four serjeants with him, and said, 'Sirs, follow me afar off, and as soon as I make to you a sign, and that I lay my hand on a man that I go for, take him, and let him not escape.' Therewith the squire entered into the house where Tresilian was, and went up into the chamber; and as soon as he saw him, he said, 'Tresilian, you are come into this country on no goodness; my lord the Duke of Newcastle commandeth that you come and speak with him.' The knight would have excused himself, and said, 'I am not Tresilian; I am a farmer of St. John of Hollands.' 'Nay, nay,' quoth the squire, 'your body is Tresilian, but your habit is not; and therewith he made tokens to the serjeants that they should take him. Then they went up into the chamber and took him, and so brought him to the palace.'"

The miserable creature is described by a chronicler as having his hair and beard overgrown, with old clouted shoes and patched hose, more like a beggar than a judge. In the end, Brambre was beheaded and Tresilian hanged. What occurred when the latter was executed is very horrible. He would not go up the ladder till he was well beaten with bats and staves, and then he said he would not die with his clothes on. So he was stripped, and hanged naked. The next morning his wife, having a licence of the king, took down his body, and carried it to the Greyfriars, where it was buried.

The judges' robes were not always pure in times succeeding those of Tresilian. We might tell other tales of judicial dishonesty; but the time has long since passed away when any reflection could be fairly cast on any of the wearers of the s.s. collar or their brethren of pious rank.

A very different incident from those just mentioned occurs in connection with the judicial history of Westminster Hall, during the early history of Henry V. When, as Prince of Wales, he was leading a dissipated life, one of his servants was arraigned at the King's Bench for some act of felony. The master took the servant's part, and appeared beside him before the throne of judgment, demanding that he should be set at liberty. Chief Justice Gascoigne, nothing terrified by the presence of the king's son, proceeded to mete out

justice in the king's name. Henry, chafed by the judge's resoluteness, threatened to do him violence, and for that purpose was ascending the bench, when Gascoigne, in a dignified manner, rebuked his presumption, and ordered him to be imprisoned in the King's Bench for contempt of the king's justices. The prince, overcome by this kind of courage and majesty, "laying his weapon apart, doing reverence, departed, and went to the King's Bench as he was commanded." "Oh, merciful God!" exclaimed his father, on hearing of it, "how much am I, above all other men, bound to your infinite goodness, specially for that he hath given me a judge who feareth not to minister justice, and also a son who can suffer patiently and obey justice."

On reaching the times when the words "bench and bar," in their present meaning, may be applied to the Westminster Hall courts, we catch distinct and loud echoes—the echoes of names familiar to the school-boy, pronounced in every intelligent household in England. Sir Edward Coke was the greatest of English lawyers. We find him at the bar in the reign of Elizabeth. He was made Attorney-General in 1594, and knighted by James I. His heart seems to have been hard as his head, and "brutal" is not too strong a term to be applied to his conduct on the trial of the Earl of Essex. His behaviour towards Raleigh, when conducting his prosecution, was of the same description. The most unmeasured abuse was poured on the prisoner. He was "the notorious traitor that ever held up his hand at the bar," and "a monster with an English face, but a Spanish heart." This dignified Attorney-General declared he would lay Raleigh "on his back for the confidentest traitor that ever came to a bar," adding, "I want words sufficient to express thy viprous treason."

Such cruel treatment of one arraigned at the bar was of a piece with Coke's arrogant behaviour towards his brethren of the long robe. Bacon was his contemporary and rival, and fierce were the contests between these memorable barristers.

"Mr. Bacon," said the Attorney-General, "if you have any tooth against me, pluck it out, for it will do you more hurt than all the teeth in your head will do you good."

"Mr. Attorney, I respect you," said Bacon, "but I fear you not; and the less you speak of your own greatness, the more I will think of it."

He replied: "I think scorn to stand upon terms of greatness towards you, who are less than the little, less than least."

"He gave me," says Bacon, who relates the dialogue, "a number of disgraceful words besides, which I answered with silence, showing that I was not moved by them."

This style of abuse prevailed at the bar at a later period, and even on the bench was continued by the infamous Jeffreys—a far different person, however, from Coke, as in learning and ability, so in moral character; for Coke, with all his harshness and pride, was a man of worth and honesty, an upright judge, and a stern patriot.

The transfer from the bar to the bench was a very grand ceremonial in those days. It was akin to the scenes we witnessed at the installation of men in the marble chair. Coke had no liking

for show, so he procured a dispensation of the honour of riding from Serjeant's Inn to Westminster in his "party-coloured robes." When Chief Justice Montague received the collar of s.s., the procession was very grand. First went on foot the young gentlemen of the Inner Temple; after them the barristers according to their seniority; next the officers of the King's Bench; then the said Chief Justice himself on horseback in his robes, the Earl of Huntingdon on his right hand and the Lord Willoughby of Eresby on his left, with above fifty knights and gentlemen of quality following. On entering the court of King's Bench, he first presented himself at the bar, with a serjeant on each hand. The Lord Chancellor, on the bench, produced the writ by which he was constituted Chief Justice, and delivered a speech on the duties of the office, to which Montague replied. The writ being read, he took the oaths, mounted the bench, and was placed in the seat of Chief Justice.

Among all the names which occur in connection with bench and bar, not one is equal in combined greatness and excellence to that of Matthew Hale. "What but Christianity," said the late Mr. Knox, "could have given to Judge Hale that uniform ascendancy over everything selfish and secular, by means of which he so undeviatingly kept the path of pure heroic virtue, as to be alike looked up to and revered by parties and interests the most opposite to each other? Is there in human history any fact more extraordinary than that the advocate of Strafford and Laud, and of king Charles (had liberty been given for pleading), should be raised to the bench by Cromwell? And, again, that a judge of Cromwell's should be not only reinstated by Charles II, but compelled by him, against his own will, to accept of the very highest judicial trust? Such is the triumph of genuine Christianity, a triumph which is in some degree renewed wherever the name of Hale is even professionally repeated; since the appeal is evidently made not more to the authority of the judge than to the integrity of the man."

Once a duke called on Chief Baron Hale, pretending to inform him respecting a case shortly to be tried in his court. "Your Grace," said the judge, "does not deal fairly to come to my chamber about such an affair, for I never receive any information of causes but in open court, where both parties are to be heard alike." The duke reported this to the king, who replied: "Your Grace may well content yourself that it is no worse, and I verily believe that he would have used myself no better, if I had gone to solicit him in any of my own causes."

Once a banker, who was Lord Mayor of London and a courtier to boot, delayed making a return to a mandamus, whereupon the prosecutor moved for an attachment. Howel, the recorder, appeared on the behalf of the city chief magistrate, and urged the inconvenience of such a personage being imprisoned. But all mayors and all men were alike to Hale on the bench. Putting his thumb to his girdle, as he was wont, he said: "Tell me of the Mayor of London; tell me of the Mayor of Queenborough."

He neither clung to the woollack from selfishness and pride, nor resigned it from idleness and

the prospect of pension. When enfeebled by disease, he might be seen slowly walking into Westminster Hall, supported by his servants, or retiring oppressed with fatigue from the bench he so much adorned. He at length applied for a "writ of ease," which the king unwillingly granted, offering to let him hold his place and do what business he could in his chamber; but he answered, that he could not any longer, with a good conscience, continue in it, since he was no longer able to discharge the duty belonging to it. There was no allowance for retiring judges then, but the king insisted upon the continuance of Hale's salary, as long as he lived. He died very shortly after his resignation of office. Wonderful was the sanctity attached to his name; people regarded him as a saint, and "they thought there was virtue in touching his coffin." "In popish times," says Lord Campbell, "miracles would have been worked at his tomb, and he would have been canonized as St. Matthew of Alderley," the village where he died and was buried.

Westminster Hall, in term time, was a busy place during the last century—busy in more senses than one. The law courts occupied a large space at the upper end of the great hall; but there was also a range of counters, stalls, and cases for the sale of books, prints, and mathematical instruments. This would remind us of a modern railway station; but the traffic in Westminster Hall went further still, and we are informed that sempstresses and others there exposed their wares, giving to the great judicial vestibule the appearance of a market or fair. Then, amidst all this bustle there was a side bar, where certain formal motions might be made, of which a vestige remains in the phrase "side bar motions." The black robe and the wig intermixed with the book-sellers, sempstresses and haberdashers, strike us as an odd variety; and then, as we go on to think of those times, the shadows of Lord Hardwicke, and Chief Justice Sir Dudley Ryder pass by, with others less known to fame, and whose voices have left a fainter echo behind them.

Proceeding to the latter half of the last century, as we enter the old court of King's Bench, we see occupying the bench, the most remarkable by far of the modern wearers of the scarlet robe and ermine, the coif and s.s. collar. Lord Mansfield was perhaps the most maligned by a few contemporaries of any judge that ever lived. Junius fixed his fangs on him with merciless severity; and we remember, in our younger days, after reading the eloquent diatribes of that most factious writer, picturing Lord Mansfield to ourselves as a very monster of injustice. But true history tells quite another tale; and Lord Brougham justly pronounces, that it may be doubted if, taking both the externals and the more essential qualities into the account that go to form a great judge, any one has ever administered the laws in this country whom we can fairly name as his equal. To a calm, clear, and winning manner, more suited to the repose of the bench than the excitement of the bar, he added the strictest justice, as well as very extensive juridical learning. Lord Campbell follows on the same side, acquiescing fully in the eulogium pronounced on him in his life-time as "the great Lord Mansfield." The estimate of

contemporaries in general must not be judged of by the abuse of Junius, for the greatest homage was done to Mansfield as a judge, from the first experience which the public had of his eminent merits. Crowds flocked to hear him pronounce judgment, and in his time began the practice of reporting in newspapers charges addressed to juries, from the very beautiful, correct, and impressive manner in which he discharged that function of his office. So great was the popular confidence in his integrity, that suitors crowded his court with business, so as to leave the rest almost forsaken.

Approaching the end of the century, we meet with one at the bar as pre-eminent there as Mansfield had been on the bench. This was Mr. Erskine, whose noble figure, expressive countenance, sparkling eye, and graceful form, so kindles the eloquence of Lord Brougham in describing the statesmen of the time of George III. "Juries have declared that they felt it impossible to remove their looks from him, when he had rivetted and as it were fascinated them by his first glance; and it used to be a common remark of men who observed his motions, that they resembled those of a blood-horse, as light as limber, as much betokening strength as speed, as free from all gross superfluity or encumbrance. Then hear his voice of surpassing sweetness, clear, flexible, strong, exquisitely fitted to strains of serious earnestness; deficient in compass indeed, and much less fitted to express indignation, or even scorn, than pathos, but wholly free from either harshness or monotony." And this was but the outer frame of high intellectual qualities, penetration, memory, reason, and fancy; this was but the vehicle which conveyed consummate knowledge, argument, pathos, and persuasion, and all employed in the service of the cause of liberty against injustice, tyranny, and oppression. No echo rings in old Westminster Hall more rich and noble than that of Erskine's eloquence.

#### THE PRICE WE PAY FOR WAR.

PEACE at last returns to bless the nations; and, while welcoming her advent, the mind naturally takes a retrospect of some of the circumstances attending that warlike state of affairs out of which we have just emerged. While not forgetting the fact that, in the estimation of the great majority of our countrymen, this struggle has been entered into from a conscientious conviction as to its rectitude, (a conviction in which the writer shares,) yet it is well, seeing the ease with which the lower passions of our nature are kindled into action, that we should place upon record some of the painful experiences which the late conflict has taught us. We propose, therefore, to turn the attention of our readers for a few moments to the price we pay for war, even though a war of justice and crowned with victory.

We do not allude to the money price, though that may well appal an economist. To dilate upon that were to detail the financial history of this country from the days of Marlborough and beyond, down to the present hour, and to relate once more a tale already a thousand times told, which every



Englishman knows by heart almost as well as he knows the tax-gatherer's knock at his street-door—a tale which is rarely listened to during the exciting fever of national glory, though heard with a long face, and received with doleful comments when the cost of the glory is added to the sum total of the national debt.

But, ruinous as are the money expenses of war, they are, morally speaking, but as a feather in the balance compared to what may be appropriately termed the misery price of the game of blood. While we write these sentences, the mind reverts to the scenes of distress which have been witnessed in many a happy home, when the news of a battle arrived, and anxious relatives gazed fearfully upon the crowded newspaper columns; or, too terrified to read themselves, listened with parted lips and heaving breast, in dread lest the beloved name of brother, son, or husband should be written down in that record of doom. On the high and well-born, the rich and powerful, as well as the poor and unprotected, the triumph of our arms has brought mourning and lamentation. The titled noble, the accomplished gentleman, the boy brothers of an ancient race, have been swept away before the cannon's blast, along with the poor and nameless soldier for whom only humble eyes will weep. Who shall sum up the wretchedness of the bereaved, or measure out compensation for their loss? We talk of alleviation, and, under the influence of sympathy for wrongs we cannot redress, apply the balm of pounds, shillings, and pence to a broken spirit; and so far we do well, because we can do no more.

But we should err grievously were we to imagine that the woes incidental to war were bounded by death or wounds in battle, and the natural sorrows of the bereaved. Talking on this subject with a literary friend upon whom fourscore winters have shed their snowy honours—"Ah," said he, "I recollect a sad instance of the cruelty of war. It must be getting on now to fifty years since I witnessed it; but I have never been able to get rid of it from my memory. I had been walking all day, towards the close of the year—I think it must have been 1807 or 1808. As evening drew in, and I was eight or nine miles from the town where I should pass the night, I struck across a moor, a wild barren place, by which some part of the distance would be saved. When I had advanced a couple of miles or so, the sun went down and it began to rain heavily. There was no habitation near that I could see, or anything promising much shelter; but, the storm increasing, I set my face towards a group of withered firs, in the centre of which appeared a sort of hummock. On nearing it, I was compelled to turn my back to the beating rain, and while slowly proceeding in that crab-like fashion, I stumbled over some object that appeared to be crawling on the ground. It proved to be an aged and wretched woman, garbed in loathsome rags. On questioning her, I found that she was in the act of picking a few nettles which grew on the spot. She wanted them, she said, to make a little broth for her daughter, as she had nothing else to give her, and 'her was vurry bad.'" On investigation, it came out that what I had taken at a distance for a mere heap of earth was a miserable shealing, half

dug in, half erected on the soil. The sole inmates were this old decrepit crone and her daughter. The latter—poor unfriended creature!—had within an hour previous to my arrival brought into the world her first child! She had no medical assistance, no rag of linen, no bed but one of dried grass covered with a filthy tattered blanket, no food, no friend but the old mother, who was evidently starved herself, and who could do nothing more for her than make a little nettle broth in an earthen pipkin. The girl's husband, as the mother told me, was a labouring man, who, having obtained liberty to cultivate a portion of the moor, had erected that shealing for himself, and by working for a neighbouring farmer contrived to maintain them all in comparative comfort. He had, however, about six months before gone to a fair at an adjacent town, and there, falling in with a recruiting party, had been trepanned and carried off as a soldier, in spite of all their endeavours to save him. I could do but little for them, beyond giving information concerning them when I got to my destination."

Such a case as this, we would fain hope, could hardly occur in our day; but it shows us to what horrible predicaments woman may be reduced by the forcible abduction of her natural protector. If the domestic annals of the present war could be written, we are persuaded that, owing to circumstances more or less parallel to those above narrated, they would reveal an amount of domestic misery, compared to which wounds or death on the battle-field would seem but common-place and tolerable disasters.

But perhaps still more to be deplored than any personal miseries which it can inflict, is the moral effect of war upon a community habituated to warfare. The worst thing that can happen to a people, is that among them should spring up a disregard to the sacredness of human life. Where human life is at a discount, none of the virtues which make life conducive to man's happiness or his Maker's glory can be at a very high premium. That familiarity, moreover, with deeds of violence which breeds contempt of death, is sure to breed also indifference to religion and a decrease of the religious sentiment. We can expect nothing else; for history and experience teach us that wherever God is truly honoured, man, God's image, is highly estimated; and the reason is obvious enough: the worst passions of fallen human nature, which are those developed and fostered by strife, can only obtain the mastery where love, the great rule of the christian life, has given place to something which, honour it by what sounding name we may, is very much the reverse of that.

The wretched result of war upon the condition of a country which has been long subject to that terrible scourge, will be sufficiently evidenced when we have full details of the internal state of Russia after the late conflict. At present we have only glimpses of it; but if we want an analogous illustration, it may be found in the condition of France towards the close of Napoleon's career. Says a personal friend of the writer of this article: "I began life as an army surgeon, and in 1812 joined the Duke's legions in the Peninsula. Being young and hot-headed, I would sometimes ride

out with a skirmishing party, and the result was that I got taken prisoner just before the battle of the Pyrenees. I was marched off immediately, with three other officers, under an escort of superannuated veterans—whom we might have overpowered at any moment in spite of their arms, had we known how to escape afterwards—to a prison in the north of France. The journey, as we had no relays of horses, occupied us five weeks, for we had to traverse the entire breadth of the kingdom. I never till then had a just conception of the astounding effects of a state of continuous warfare upon a people. I believe it is a fact that during the whole of that journey we did not encounter twenty able-bodied men under the age of three-score, who were not clad either in official or military garb. Women everywhere were doing the farm-work in the fields—women harnessed the horses to our wretched conveyance—women paved the roads and scavenged the towns and villages—women in gangs dragged the boats and barges along canals and rivers—women were waiters at the inns and in some places guards at the prison doors—and everywhere women and children, with a few grey-headed old men, made up the mass of the population. The manhood of France was, in fact, used up—eaten, so to speak, by the fire and sword of the enemy. To hear of such a thing as this, or to read of it, may seem extraordinary enough; but I assure you that to witness it, as I did, is one of the most melancholy things imaginable, and it made me more miserable by far than all the havoc and carnage I had beheld in the whole campaign.” This suggestive report is a true one, and it is corroborated by the well-known fact, that shortly afterwards, when Napoleon found himself compelled to make a grand effort against the allies, he had no other means of doing it than by reducing the age at which the conscription might be enforced, and—the men of the country being used up—falling back upon the boys.

“Your troops are very little fellows,” said a foreigner, who waited on him while he was inspecting the new levies.

“*Ils sont petits*,” said he, “*mais mordants*”—“they are little, but biting”—an answer characteristic of a man at whose fiat millions had marched to a bloody death.

Owing to our insular position, and to the wooden walls which for centuries have rendered our coasts inaccessible to foreign enemies, the English people have for many generations been strangers to the actual plagues, terrors, and miseries which the theatre of war always presents. We have suffered in pocket, and we have had from time to time to mourn the loss of our best and bravest in the field or on the bloody deck; such losses, however, sad and grievous as they are, are far outweighed by the ruin, havoc, and devastation inflicted upon innocent persons, whose sole offence it is that they live in the path of the battle tempest, which, as it sweeps along, spreads terror before, and leaves nothing but desolation and wreck behind. In reckoning up the deadly account of victory or defeat, this, which is often the fiercest calamity attending the passage of armies, is left out of the computation. The breaking up and total ruin of families—the want and starvation to which multitudes fall victims—the sacrifice of the sick and

aged, driven from their homes, which the remorseless policy of war fires and lays waste—the desperation which the endurance of such wrong engenders, and which has been known to transform a whole population into a race of savage bandits and brigands—the final demoralization of a whole territory, and its eventual depopulation—all this goes for nothing in the sum total of bulletins, which chronicle the glory of war, but take little or no note of such exploits as these. And yet the calamity is a real one, unfathomable in all its depths of horror.

We forbear to catalogue the woes and sufferings which it would be harrowing to peruse. The details are known to most of us—the human hecatombs sacrificed to the obstinate ambition of the czar—the thousands and hundreds of thousands who have melted away before fever and famine and pestilence and the sword—the terrible decimation which our own forces have undergone by disease—the appalling and aggravated agonies of the wounded—the lingering tortures of a death on the forsaken battle-ground, on shipboard, or in the crowded hospital, sometimes devoid of the appliances of comfort and the consolations of religion. These things we all know, and there is no need to dwell upon them here.

Melancholy also is it to contemplate the price paid for war in the shape of its retarding effect upon social improvement. Amidst the clash of arms, the voice of the philanthropist and the social reformer is drowned. As a photographically accurate representation of the state of public mind into which we were fast drifting, we quote the following from the great leading journal of the day:—

“One of the worst evils of the war is, that it absorbs the whole attention of mankind. Whatever portion of heart or mind, of time or strength, we can spare from our private affairs, we give to the news from the Crimea. It is what we read or think about; what two or three people talk about when they meet; what we see in pictures and study in maps and books. Three thousand miles from the war, we become impassioned spectators, and for the time are enveloped in all the splendour, all the gloom of war. Thus day by day we degenerate into the worshippers of Mars or Odin, and forget alike the dreams of human progress and the dictates of a pacific religion. Everybody who remembers the late war knows that it was all one glitter of arms, one flutter of flags, one noise of reviews, one perpetual talk of battles, deaths, and promotions. Everything else was flat compared with victories and defeats. The universities languished, the churches were empty, the House of Commons became more and more corrupt; and all morality, philosophy, and religion seemed to centre in the thought of dying in the breach, with the sound of victory in one’s ears. Society is fast relapsing into that ungenial state. We read in the papers that the other day a bookseller of Sweaborg requested leave to go on his business to Sweden, and was told by the authorities that Russia wanted no more books. That is already our case. We want no more books. Give us good recruits, at least five feet seven; a good model for a floating battery, and a gun to take effect at 5000 yards, and Whigs and Tories, Low and High Church, the poets, astronomers, and critics may settle it

among themselves. Of course the lower instincts survive, and as long as money lasts we shall continue to appreciate good dinners and grand houses; but whatever requires fineness of perception and abstraction of thought is falling fast out of favour."

Such is the price we pay for war. We welcome, then, the advent of peace. May it be diligently improved in combating with social evils—with the vices, the errors, and the sins that are blots upon our civilization; and may each of our readers feel himself bound to be an agent in this grand work!

### THE SPORTIVENESS OF SERIOUS MINDS.

THERE are many persons who are in the habit of supposing that piety is a synonyme for dullness; and that, to have serious and solemn views of life, in its relation to eternity, is necessarily to cultivate a disposition at variance with cheerfulness and liveliness. All who have come much in contact with true religion, as consistently exemplified in the life of its professors, know that such an estimate of things is erroneous, and that, while "the foolish talking and jesting" of the world, or "the loud and noisy laughter, which dies away like the crackling of thorns under the pot," sit ill upon the Christian, yet cheerfulness and innocent playfulness of manner, at the right time and in the right place, are generally happy characteristics of a mind at peace with God.

In running our eye recently over a commonplace book of poetry, we were struck with two compositions of two eminently Christian poets, which well sustain our proposition, and which we insert as enliveners of our pages. The first shall be James Montgomery's

#### SOLILOQUY OF A WATER-WAGTAIL.

Ox the walls that guard my prison,  
Swelling with fantastic pride,  
Brisk and merry as the season,  
I a feathered coxcomb spied:  
When the little hopping elf  
Gaily thus amused himself:—

"Hear your sovereign's proclamation,  
All good subjects, young and old:  
I'm the Lord of the Creation;  
I—a Water-Wagtail bold!  
All around, and all you see,  
All the world was made for ME!

"Yonder sun, so proudly shining,  
Rises—when I leave my nest;  
And, behind the hills declining,  
Sets—when I retire to rest:  
Morn and evening, thus you see,  
Day and night, were made for ME!

"Vernal gales to love invite me;  
Summer sheds for me her beams;  
Autumn's jovial scenes delight me;  
Winter paves with ice my streams;  
All the year is mine, you see;  
Seasons change, like moons, for ME!

"On the heads of giant mountains,  
Or beneath the shady trees;  
By the banks of warbling fountains,  
I enjoy myself at ease:  
Hills and valleys, thus you see,  
Groves and rivers, made for ME!

"Boundless are my vast dominions;  
I can hop, or swim, or fly;  
When I please, my towering pinions  
Trace my empire through the sky:  
Air and elements, you see,  
Heaven and earth, were made for ME!

"Birds and insects, beasts and fishes,  
All their humble distance keep;  
Man, subservient to my wishes,  
Sows the harvest which I reap:  
Mighty man himself, you see,  
All that breathe, were made for ME!

"'Twas for my accommodation,  
Nature rose when I was born;  
Should I die—the whole creation  
Back to nothing would return:  
Sun, moon, stars, the world, you see,  
Sprung—exist, will fall with ME!"

Here the pretty prattler, ending,  
Spread his wings to soar away;  
But a cruel Hawk descending,  
Pounced him up—an helpless prey.  
—Couldst thou not, poor Wagtail! see,  
That the Hawk was made for THEE?

Even more happily sportive than the preceding, however, are Cowper's light and playful lines to his faithful "*Beau*," entitled

#### TO A SPANIEL ON HIS KILLING A BIRD.

A SPANIEL, Beau, that fares like you,  
Well fed, and at his ease,  
Should wiser be than to pursue  
Each trifle that he sees.

But you have killed a tiny bird,  
Which flew not till to-day,  
Against my orders, whom you heard  
Forbidding you the prey.

Nor did you kill that you might eat,  
And ease a doggish pain;  
For him, though chased with furious heat,  
You left where he was slain.

Nor was he of the thievish sort,  
Or one whom blood allures,  
But innocent was all his sport  
Whom you have torn for yours.

My dog! what remedy remains,  
Since, teach you all I can,  
I see you, after all my pains,  
So much resemble man?

#### BEAU'S REPLY.

Sir, when I flew to seize the bird  
In spite of your command,  
A louder voice than yours I heard,  
And harder to withstand.

You cried—'forbear! but in my breast  
A mightier cried—proceed!  
'Twas Nature, sir, whose strong behest  
Impelled me to the deed.

Yet, much as Nature I respect,  
I ventured once to break  
(As you, perhaps, may recollect),  
Her precept for your sake;

And when your linnet, on a day,  
Passing his prison door,  
Had fluttered all his strength away,  
And panting, pressed the floor;

Well knowing him a sacred thing,  
Not destined to my tooth,  
I only kissed his ruffled wing,  
And licked his feathers smooth.

Let my obedience then excuse  
My disobedience now,  
Nor some reproof yourself refuse  
From your aggrieved bow-wow.

If killing birds be such a crime,  
(Which I can hardly see.)  
What think you, sir, of killing time  
With verse addressed to me?

While a foolish levity is much to be guarded against, yet—to use the language of a recent lecturer before the Young Men's Society in Exeter Hall—"Nothing is more out of place than that unnatural sourness and grimness which we observe among some religious people. There are many who look natural and pleasant enough at all other times; but the moment they begin with a religious service or a religious conversation, the expression of their countenance immediately alters. And how often do we hear the Bible read, even from the pulpit, in a tone which would be perfectly ridiculous in reading any other book! Undoubtedly the word of God ought to be read with becoming seriousness; but ought it to be read in a gloomy, lugubrious way? I have heard a man read, 'Awake up, my glory; awake lute and harp; I myself will awake right early,' with such a lifeless drawl, as if he intended his reading for a soporific. I have heard a man read, 'Rejoice evermore,' with a melancholy quavering, like a Turkish hired mourner at a funeral."

So much in favour of Christian liveliness and cheerfulness. Yet there is undoubtedly a danger on the other side. Nothing can well be more unseemly than for one who professes Christianity, in his desire to be amusing, becoming, in boisterous mirth, the jackpudding or merryandrew of the company. The anecdote is told of a man, under serious impressions as to the state of his soul, coming to the house of a clergyman while the latter was engaged in uproarious merriment, and turning away, never to return, from a scene so uncongenial to his feelings. "I desire," said the late Rev. Rowland Hill (himself one of the liveliest of Christians)—and this caution is worth remembering—"never to be found uttering any mirthful expressions that would hinder me from drawing nigh, the next moment, to God in close communion and prayer."

### ETERNITY.

SOLEMN and important was the advice given by Robert Hall—"Walk, as it were, upon the borders of the ocean of eternity, and listen to the sounds of its waters, till you are deaf to every sound beside." Who shall describe its nature? It is absolutely incomprehensible. The ancients represented it by the hieroglyphic of a serpent in a circle, that is, life without an end. One distinguished French preacher attempted an illustration of it by speaking of the brazen sea in Solomon's temple, holding four hundred and fifty hogsheads, as vast compared with a single drop, but as very little compared with the ocean, and neither is anything as compared with eternity. And another equally distinguished preacher imagines a vast mountain of sand removed by a single

grain taken away once in a thousand years, and properly says that when the last grain is carried off, eternity will be but just on its commencement. How grand and sublime is the study of eternity!

The infinite importance of eternity will be seen if we place before us the objects which have a connection with it. *God*, strictly speaking, he only is eternal; for he only had no beginning, and assuredly can have no end. He lives now and evermore, to bless his friends and to punish his enemies. *The soul of man*. Our souls, it is true, had a beginning, but they can have no end. Though we lost much in the fall, we did not lose our immortality. When we look at our never-ceasing existence, what important beings we appear! *The joys of heaven*. Heaven is residence with God, the perfect enjoyment of his favour, and that coeval with his existence. *The misery of hell*. How awful the idea of such a state! Banishment from God, sin revelling unrestrained, and ever bringing its own punishment. Always enduring misery, because always sinning.

The lessons which the consideration of this vast subject would suggest, are many and great. Should it not make us serious? We are rapidly passing from the moments of time to the boundlessness of eternity, and shall we trifle about it? We surely learn from the subject the necessity of an immediate attention to the soul. Eternity now hangs on a moment.

"Lo, on a narrow neck of land,  
Twist two unbounded seas we stand,  
Yet how insensible!  
A point of time, a moment's space,  
Removes us to yon heavenly place,  
Or shuts us up in hell!"

Have you, reader, fled to the Saviour and become united to him by a living faith? If you profess to be his disciple, we ask, in the next place, How do you evidence your faith? What good have you done? How many times have you charitably visited a poor sick neighbour, relieved his wants, and commended him in prayer to the favour of God? Can you call to mind how often you have fed the hungry—clothed the naked, ministered to the stranger, visited the prisoner? Such services, Jesus tells us, he accepts as ministering to himself, whenever they are rendered to his suffering ones.

How many erring Christians have you warned and reclaimed? How many discords have you harmonized, winning the blessings of a peacemaker? How many have you instructed in the lessons of life eternal? How many children bless you for faithful instruction in the Sabbath school? How many religious tracts and books, or copies of the word of God have you given away? How many pious letters have you written for the purpose of benefiting spiritually your friends. How many souls have you won to Jesus, by your direct influence and efforts. How much have you contributed, out of your income, for promoting the interests of the kingdom of Christ?

Pause upon these questions one by one, and strive to answer them as the Judge will require when you are called to give a final "account of your stewardship."